

# **EXHIBIT D**

330 715-5182  
Jenn

## PROBATE COURT OF SUMMIT COUNTY, OHIO

ESTATE OF William F. Clark, DECEASEDCASE NO. 2005 Es 0397REPORT OF DISTRIBUTION  
OF WRONGFUL DEATH AND SURVIVAL CLAIMSPursuant to Entry filed \_\_\_\_\_, the proceeds have been paid as shown below  
and on the accompanying vouchers.

Gross proceeds		\$ <u>56,801.49 USG</u>
Funeral and burial expenses	\$ _____	
Fiduciary fees to _____	\$ _____	
Reimbursement of case expenses to <u>Bevan &amp; Associates</u>	\$ <u>0</u>	
Attorney fees to <u>Bevan &amp; Associates</u>	\$ <u>18,933.83</u>	
Survival claim to the estate	\$ _____	
Net Proceeds		\$ <u>37,867.66</u>
Net proceeds to beneficiaries:		
To: <u>Nancy L. Pease</u>	\$ <u>9466.92</u>	
To: <u>Karen S. Crawford</u>	\$ <u>9466.92</u>	
To: <u>Gayle A. Williams</u>	\$ <u>9466.91</u>	
To: <u>James A. Clark</u>	\$ <u>9466.91</u>	
To: _____	\$ _____	
To: _____	\$ _____	
To: _____	\$ _____	
Total payments to beneficiaries		\$ <u>37,867.66</u>
Balance		- 0 -

- ☐ The fiduciary states that there are no other assets remaining in the estate.  
☐ The fiduciary states that there are assets remaining in the estate.

Attorney for Fiduciary Angela M. Hardway✓  
Fiduciary

## ENTRY

The above report of the distribution of the  
proceeds is hereby approved.

- ☐ There being no further assets to administer, the fiduciary and surety, if any, are discharged.

IT IS SO ORDERED.

BILL SPICER, JUDGE

Date \_\_\_\_\_

Form 14.3

PROBATE COURT OF SUMMIT COUNTY, OHIO

ESTATE OF William F. Clark, DECEASED

CASE NO. 2005ES 00397

**WAIVER AND CONSENT WRONGFUL DEATH AND SURVIVAL CLAIMS**

The undersigned waive notice of the hearing and consent to and approve the settlement and distribution as set forth in Form 14.0, Application to Approve Settlement and Distribution of Wrongful Death and Survival Claims, a copy of which I have received.

✓

Nancy L. Pease

## PROBATE COURT OF SUMMIT COUNTY, OHIO

ESTATE OF William F. Clark, DECEASEDCASE NO. 2005 ES 00397APPLICATION TO APPROVE SETTLEMENT AND DISTRIBUTION OF  
WRONGFUL DEATH AND SURVIVAL CLAIMS

(R.C. 2117.05, 2125.02, 2125.03, Civ.R. 19.1 and Sup. R. 70)

The Fiduciary states:

(Check whichever of the following are applicable, strike inapplicable words, and incorporate all attachments into a single statement.)

- ☐ There is an offer of (full) (partial) settlement without suit being filed.
- ☒ There is an offer of (full) (partial) settlement after suit was filed. The style of the case, the Court and the case number being #291272 Nancy Pease, Exec. Estate of William F. Clark vs. Owens Corning Fiberglass et al. Cuyahoga.
- ☐ A judgment has been recovered for damages for decedent's wrongful death (and personal injury and property damage arising out of the same act and which survive the decedent).
- ☒ The amount of the settlement or judgment is \$ 56,801.49 USG.
- ☒ This is a partial settlement and therefore the estate must remain open pending final disposition of the claims.
- ☐ The offer includes, or the judgment sets forth separately, reasonable funeral and burial expenses in the amount of \$ \_\_\_\_\_.
- ☐ Reasonable compensation for the fiduciary's services is \$ \_\_\_\_\_ and an itemization of such services is attached.
- ☒ A reasonable attorney fee for the attorney's services is \$ 18,933.83 and reimbursement to the attorney for case expenses is \$ 0. A copy of the attorney's fee contract that (has) (has not) received prior approval of this Court, subject to modification, and an itemization of case expenses are attached.
- ☒ The net proceeds of \$ 37,867.66 should be allocated. \$ 37,867.66 to the wrongful death action and \$ 0 to the survival action. A statement in support thereof is attached.
- ☒ A statement in support of the proffered settlement is attached.
- ☐ Supplemental forms required by local rule of court are attached.
- ☒ All of the beneficiaries of the wrongful death action are on an equal degree of consanguinity, are adults, and have agreed how the net proceeds are to be distributed.

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- ☐ The beneficiaries of the wrongful death action are not on an equal degree of consanguinity, or one or more of the beneficiaries is a minor, or the beneficiaries have not agreed how the net proceeds are to be distributed.
- ☐ The surviving spouse, children, and parents of the decedent and other next of kin who have suffered damages by reason of the wrongful death are as follows and the distribution should be as follows:

Name	Residence Address	Relationship to Decedent	Birthdate of Minor	Amount
Nancy L. Pease	3212 Bent Oak Trail, Ravenna, OH 44266	Daughter	Adult	9466.92
Karen S. Crawford	2995 Albrect Ave., Akron, OH 44312	Daughter	Adult	9466.92
Gayle A. Williams	14064 Duncan Run Rd., Galena, OH 43081	Daughter	Adult	9466.91
James A. Clark	1305 Mayfli Dr., Akron, OH 44312	Son	Adult	9466.91

- ☐ The survival claim beneficiaries are as follows:

Name	Residence Address	Relationship to Decedent	Birthdate of Minor
Nancy L. Pease	3212 Bent Oak Trail, Ravenna, OH 44266	Daughter	Adult
Karen S. Crawford	2995 Albrect Ave., Akron, OH 44312	Daughter	Adult
Gayle A. Williams	14064 Duncan Run Rd., Galena, OH 43081	Daughter	Adult
James A. Clark	1305 Mayfli Dr., Akron, OH 44312	Son	Adult

The fiduciary requests that the Court approve the application and authorize the fiduciary to execute a (complete) (partial) release which upon payment of the settlement shall be a (complete) (partial) discharge of the claim.

Attorney for Fiduciary Angela M. Hardway

✓  
Fiduciary

Attorney Registration No. 0077644